

EXHIBIT I

YING JIN

1616 PARK AVENUE
BALTIMORE, MARYLAND 20707
PHONE: (443) 438-3801
E-MAIL: BILL2THEWEST@YAHOO.COM

April 24, 2019

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Gregory Collett
District Director
Baltimore Field Office
Bureau of Citizenship & Immigration Services
United States Department of Homeland Security
3701 Koppers Street
Baltimore, Maryland 21227

Re: **Ms. Jin Ying**
Alien Registration No.: A059-225-843
IOE0904522572
Forms I-571 & N-400

Dear Mr. Collett:

This letter represents an initial response to the "Notice of Continuance" (Form N-652) (hereinafter referred to as "Notice") and an additional reply in connection with a "Naturalization Interview Results" worksheet (hereinafter referred to as "Interview") both dated April 16, 2019.¹ Copies of the Notice and Interview are attached to this letter for your ready reference and review as Exhibits "1" and "2" respectively. This letter also supplements my letter of April 17, 2019 to your office regarding the Interview, a copy of which is attached as Exhibit "3."

Two preliminary matters: **(1)** In view of the stated conclusions reached by the Naturalization Examiner Sanz on April 16, 2019 concluding a putative inability to express myself in spoken English, it is difficult to understand or appreciate the propriety of the additional inquiries posed by the BCIS in the Notice. **(2)** Please note that those inquiries have been fully addressed in previous correspondence with the BCIS Eastern Regional Service Center, most recently on February 6, 2018.² That correspondence together with its supporting exhibits are attached and incorporated by reference as Exhibit "4" as if fully set out herein (hereinafter referred to as the "Letter"). To the extent necessary, this letter augments the responses and materials previously provided in the Letter more than fourteen (14) months ago in answer to the additional specific inquiries raised in the Notice.

¹ Although I have consulted and conferred with Maryland legal counsel in the organization and preparation of this response, it is my intention to continue to represent myself in the prosecution of these applications.

² United States Postal Service Certified Mail No.: 91 7199 9991 7034 0989 6921 received by the Vermont BCIS Service Center on February 12, 2018.

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1. **Income Tax Filing Status.** I am not and have not been employed in the either her the People's Republic of China or the United States outside of my Baltimore family home since my admission to the United States for permanent residency at Los Angeles, California in 2015. As such, I am not required to file Federal or Maryland State Individual Income Tax Returns. My spouse, Victor H. Sparrow, III, (born January 6, 1945) is a retired senior citizen receiving Social Security benefits.³ As such, he is not required to file tax returns. However, out of an abundance of caution, we have filed for an "automatic extension" on IRS Form 4868 for the calendar year 2018. My principal activity is as a student in civics and the English Language at the Adult Learning Courses at the Baltimore City Community College for the 2017-2019 academic years.⁴
2. **Continuing Residency.** My spouse and I reside at 1616 Park Avenue, Baltimore, Maryland 21217, a property owned solely by him for more than fifteen (15) years. Attached to the Letter are sworn declarations and additional materials attesting to our continuing residency in "marital union."⁵ Upon request, our immediate neighbors would testify as to my continuing residency and that of my spouse at our Park Avenue home during the past four (4) years.⁶ It has always been my intention to maintain residency in the United States and vigorously pursue United States citizenship. It is for that very reason, I applied for and received a "Reentry Permit" (Form I-131) from the BCIS.
3. **Financial Information.** The Notice raised questions of joint financial arrangements and responsibilities between my spouse and me as an ***indicia*** of the legitimacy of our "marital union" for immigration purposes. In addition to the materials provided to the BCIS last year in the Letter, please consider the following materials.⁷ in connection with your determination. Attached is a written statement from BB&T Bank dated April 22, 2019. It indicates that my spouse and I have several joint bank accounts receiving

³ Copies of Forms SSA-1099 for 2017 and 2018 and IRS Form 3848 for the spouse of the Applicant have been collectively attached as Exhibit "5."

⁴ A copy of the "Certificate of Achievement" for 2017-2018 academic year awarded to the Applicant is attached as Exhibit "6."

⁵ "Marital Union" is the euphemism employed by the BCIS in its correspondence and in the Notice.

⁶ Mr. & Mrs. Paul Caiola, 1614 Park Avenue, Baltimore, Maryland 21217 and Mr. & Mrs. William A. Garlow, 1618 Park Avenue, Baltimore, Maryland 21217.

⁷ The Letter has been attached to and incorporated by reference in this document as Exhibit #4.

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Your assistance in assisting with the expeditious rescheduling of an appointment to address each of these issues with a disinterested Baltimore BCIS Field Officer as well as the prompt adjudication of my pending I-571 and N-400 applications at your earliest possible convenience would be most appreciated.

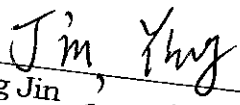
By copy of this letter to the pertinent offices, please also consider this letter as a request under the "Privacy Act" (**5 United States Code § 552a et seq.**) and "Freedom of Information Act" (**5 United States Code § 552 et seq.**) for all records pertaining to me in any system of records maintained or controlled by the BCIS or the United States Department of Homeland Security including but not limited to the recording and/or videotape of my naturalization interview conducted at the Baltimore Field Office on April 16, 2019.

In my personal capacity based on my own personal knowledge, I state and declare under penalty of perjury including but not limited to 28 **United States Code § 1746** under the laws of the State of Maryland and the United States of America, that I have signed this letter on April 24, 2019 at Baltimore, Maryland. Each of the statements in it and in the Letter is true and correct based upon my own personal knowledge. Each of the documents attached to this letter is a true xerographic copy of a document which is now or has been in my possession.

Please contact me if you require any additional information. Your acknowledgement in writing of your receipt of this letter on behalf of BCIS would be most appreciated.

Thank you for your continuing courtesy and interest in these matters.

Sincerely,


Ying Jin

Enclosures

cc: Ms. Sheila B. Durant
Attorney at Law
201 North Charles Street (Suite# 600)
Baltimore, Maryland 21201

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Mr. Jordan Holz
Chief, Privacy & Civil Liberties Officer
FOIA/PA Mail Referral Unit
United States Citizenship & Immigration Services
United States Department of Homeland Security
111 Massachusetts Avenue, Northwest
Washington District of Columbia 20529-2180

Office of the Citizenship and Immigration Services Ombudsman
U.S. Department of Homeland Security DB1KM2TD3NC4
111 Massachusetts Avenue, Northwest
Washington, District of Columbia 20528-0180

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LIST OF EXHIBITS

1. BCIS "Notice of Continuance" (Form N-652) dated April 16, 2019 prepared by Mr. Gregory Collett, Director, BCIS Baltimore Field Office.
2. BCIS "Naturalization Worksheet" prepared by BCIS designated Naturalization Examiner Sanz dated April 16, 2019.
3. Letter to Mr. Gregory Collett, Director, BCIS Baltimore Field Office, dated April 17, 2019 from Ying Jin.
4. Letter (Certified Mail) to BCIS Eastern Regional Service Center dated February 6, 2018 from Ying Jin.
5. Form SSA-1099 for 2017 and 2018 and IRS Form 2848 (Calendar Year: 2018) for Ying Jin and Victor H. Sparrow, III.
6. English Language Certificate of Achievement for 2017-2018 Academic Year awarded to Ying Jin.
7. BB&T Bank letter dated April 22, 2019 and joint account statement for Ying Jin and Victor H. Sparrow, III for March/April 2019.
8. Maryland Automobile Registration & Cincinnati Insurance Company Data for jointly owned Toyota RAV-4 Automobile.
9. Ying Jin Passport Pages.
10. Physical Presence Spreadsheet "Physical Presence" Worksheet

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Exhibit "1": BCIS "Notice of Continuance" (Form N-652) dated April 16, 2019 prepared by Mr. Gregory Collett, Director, BCIS Baltimore Field Office.

April 16, 2019

JIN YING
1616 PARK AVENUE
APT 1
BALTIMORE, MD 21217-4290

RE: N-400, Application for Naturalization

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
3701 Koppers Street
Baltimore, MD 21227



U.S. Citizenship
and Immigration
Services



IOE0904522572



A059-225-843

NOTICE OF CONTINUANCE

Dear Jin Ying:

Examination of your N400 application shows that additional information, documents or forms are needed before your application can be acted upon. **Please see attached and respond by May 19, 2019.**

Failure to do so may result in the denial of your application.

Submission of this information, however, does not guarantee that this case will be approved. We strongly recommend that you submit all the requested information, documents, or forms as listed on the following pages at one time and as soon as possible so that we can resume processing. Any interim benefits that may otherwise stem from the filing of this application or petition will be delayed while this case is in suspense awaiting your response.

If you choose to submit only some or none of the requested information, then the application will be adjudicated on its merits. You may also request, in writing, to the Service that this application be withdrawn. If the District Director consents to the withdrawal, the application will be denied without further notice to you and without prejudice to any future application. The withdrawal will constitute a waiver of any review pursuant to Section 336 of the Title 8 Code of Federal Regulations. If the District Director does not consent to the withdrawal, then the application shall be adjudicated on its merits.

Sincerely,

Gregory L. Collett
Director

Attachment

Please include a copy of this letter and send your response by mail to this address:
U.S. Citizenship and Immigration Services

Baltimore Field Office
3701 Koppers Street Baltimore, Maryland 21227

Submit proof that you and your spouse lived in marital union for at least three years before you filed Form N-400, which may include but is not limited to the following:

- IRS tax return transcript or federal tax returns that you and your spouse filed for the past 3 years;
- Birth certificate(s) of children;
- Insurance policies;
- Rent or mortgage payments;
- Utility bills.

Submit IRS tax return transcripts for the past three (3) years or copies of the income tax forms (with W-2s) you filed for the past 3 years. For assistance, contact the IRS toll-free at 1-800-829-1040 or complete Form 4506 (Request for Copy of Tax Return) available at <https://www.irs.gov/pub/irs-pdf/f4506.pdf>.

Submit proof that you have been married and living in marital union with your spouse for the three (3) years prior to filing your N-400, which may include but is not limited to the following:

- State and federal income tax disclosures, including Form W-2, Wage and Tax Statements, for you and your spouse;
- Leases and/or mortgages;
- Bills or receipts showing the names and addresses of both you and your spouse;
- A current letter from your employer and your spouse's employer, reflecting position(s) occupied, date(s) employment commenced, claimed marital status, designated health and life insurance beneficiary, the name of the person listed to contact in case of emergency, and the date on which the employer was given this information;
- Documentation from your bank indicating joint accounts, including cancelled checks showing that both you and your spouse used the account(s) held by you and your spouse;
- Birth certificates of your children, listing your name and the name of your U.S. citizen spouse;
- Any other evidence you wish to submit.

Records show that you have taken a trip outside of the U.S. that lasted six months or more since becoming a Lawful Permanent Resident. Submit evidence that you did not abandon your residence.

You may submit documentation which includes, but is not limited to, evidence that during your absence:

- You did not terminate your employment in the U.S.;

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Exhibit "2": BCIS "Naturalization Worksheet" prepared by BCIS
Designated Naturalization Examiner Sanz dated April 16, 2019.

**Naturalization Interview Results**Department of Homeland Security
U.S. Citizenship and Immigration ServicesUSCIS
Form N-652

A-Number ► A- 059225843

On 04/16/2019

, you were interviewed by USCIS officer SANZ, M.

- ☐ You passed the English test and the U.S. history and government test.
- ☐ You passed the U.S. history and government test and you are exempt from the English language requirement.
- ☐ USCIS granted your request for a disability exception. The requirement to demonstrate English language ability and/or knowledge of U.S. history and government is waived.
- ☒ You will have another opportunity to be tested on your ability to ☒ speak ☐ read ☐ write ☒ understand English.
- ☐ You will have another opportunity to be tested on your knowledge of U.S. history and government.
- ☐ You did not pass the second and final test of your ☐ English ability ☐ knowledge of U.S. history and government. USCIS will not reschedule you for another interview for your Form N-400. USCIS will send you a written decision about your application.
- ☐ Follow the instructions on Form N-14, Request for Additional Information, Documents, or Forms.
- ☐ USCIS will send you a written decision about your application.
- A) ☐ **Congratulations! Your application has been recommended for approval.** At this time, it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified of when and where to report for your naturalization ceremony.
- B) ☒ **A decision cannot be made yet about your application.**

It is very important that you:

1. Notify USCIS if you change your address.
2. Attend any scheduled interview.
3. Submit all requested documents.
4. Send any questions about your application in writing to the officer named above. Include your full legal name, Alien Registration Number (A-Number), and a copy of your Form N-652.
5. Attend your scheduled Oath Ceremony. Dress in proper attire to respect the dignity of this event (for example, do not wear jeans, shorts or flip flops).
6. Notify USCIS as soon as possible in writing if you cannot attend your scheduled interview or Oath Ceremony. Include a copy of the scheduling notice.

NOTE: Be advised that under section 336 of the Immigration and Nationality Act (INA), you have the right to request a hearing before an immigration officer if your application is denied, or before the U.S. district court if USCIS has not made a determination on your application within 120 days of the date of your examination.

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Exhibit "3:" Letter to Mr. Gregory Collett, Director, BCIS Baltimore Field Office, dated April 17, 2019 from Ying Jin.

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April 17, 2019

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RETURN RECEIPT REQUESTED

Mr. Gregory Collett
District Director
Baltimore District Office
Bureau of Citizenship & Immigration Services
U.S. Department of Homeland Security
3701 Koppers Street
Baltimore, Maryland 21227

Re: Ms. Jin Ying
No.: A059-225-843
Forms I-571 & N-400

Dear Mr. Collett:

The purpose of this letter is to request the assistance of your office in the expedited rescheduling of: (1) the "Naturalization" (N-400) and (2) "Application to Remove Conditions" (I-751) appointments conducted at the BCIS Baltimore Field Office on April 16, 2019 with a disinterested officer at the earliest possible date. Attached as a "PDF" file, for your ready reference and review is the relevant USCIS Form N-652 as well as appointment and service slips as well as the Form I-797C "Notice of Action."

As to the first issue, the BCIS officer who conducted the oral examination, Ms. M. Sanz, not a native speaker of English, spoke English with a pronounced accent, concluded that I did not speak or understand English with a sufficient proficiency. She decided this even after I answered every U.S. and Maryland history and civics question correctly. Please also note that I have studied English for three (3) years at the Baltimore Community College extension.

As to the second issue, the interviewing officer failed to "... adjudicate the pending and outstanding petition to remove conditions" at or before the Naturalization interview.

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The BCIS Operations Manual, Volume 12 (2), Part G (2), Chapter 5 states in pertinent part as follows:

"An application for naturalization may not be approved if there is a pending petition for removal of conditions. If an applicant's petition to remove conditions is pending at the time of filing or is filed prior to the interview, USCIS will adjudicate the petition to remove conditions prior to or concurrently with the adjudication of the naturalization application."

When a courteous supervisory officer attempted to discuss this matter, he became hesitant to do so when the interviewing officer incorrectly advised him that the immigration law required a minimum two month wait prior to a subsequent interview.

Your assistance in assisting with the expeditious rescheduling of follow up appointments with a rescheduling to address each of these issues with a disinterested Baltimore BCIS Field Officer at his or her earliest possible convenience would be most appreciated.

Thank you for your continuing courtesy and interest in these matters.

Sincerely,

Ying Jin

Enclosures

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Exhibit "4": Letter (Certified Mail) to BCIS Eastern Regional Service
Center dated February 6, 2018 from Ying Jin.

YING JIN

1616 PARK AVENUE
BALTIMORE, MARYLAND 20707
PHONE: (443) 547-1927
E-MAIL: 983409076@QQ.COM

February 6, 2018

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

U.S. Citizenship & Naturalization Services
U.S. Department of Homeland Security
75 Lower Welden Street
St. Albans, Vermont 05479

Re: Ms. Jin Ying
File No.: A059-225-843
EAC1715200137
Request for Evidence (Form I-751)

Gentlemen:

The purpose of this letter is to provide the Bureau of Citizenship and Naturalization Services ("BCIS") with additional evidence in response to a "Request for Evidence" dated January 29, 2018. A copy of the Request is attached for your ready reference and review as Exhibit "A."

Together with the materials and documents submitted with the original Form I-751 to the BCIS on February 17, 2017, these materials establish that my spouse, Victor H. Sparrow, III, my son, Wu Minijiong and me resided in Apartment #1801, Building 1, Jin Xiu Wen Lan Ge, 100 Tong Yi Road, Gong Shu District, Hangzhou, Zhejiang Province (310006), People's Republic of China beginning in October 2013. In China, my spouse held a Chinese "Z" Visa as a visiting foreign expert instructor at No. 14 Hangzhou Middle School and Zhejiang International Studies University.

We returned to the United States in 2015 for spinal surgery and associated medical care for my spouse. We reside together at 1616 Park Avenue, Baltimore, Maryland 21217. In August 2016, we were joined by my son as an "F-1" graduate student in the Graduate School of Engineering at the University of Maryland at College Park, Maryland.

Xerographic copies of my Maryland Driver's License together with that of my son and spouse are attached and incorporated by reference as Exhibit "B."

YING JIN

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A xerographic copy of an "Appeal of Initial Non-Resident Classification" dated September 15, 2017 to the Residency Review Committee of the University of Maryland (excluding exhibits) is attached and incorporated by reference as Exhibit "C."¹

An original executed "Joint Declaration of Roberto Herrera and Victor H. Sparrow, IV" dated February 2, 2018 ("Joint Declaration") speaks to the continuing residencies of my spouse and me in the United States and my role in his continuing medical regime and care -particularly ¶¶ four (4) through six (6). Messers Herrera and Sparrow jointly serve as the property managers for the three (3) unit building at 1616 Park Avenue, Baltimore, Maryland 21217. The Joint Declaration is attached and incorporated by reference as Exhibit "D."

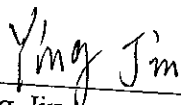
A witnessed xerographic copy of "The Last Will & Testament of Victor H. Sparrow, III" dated May 7, 2015 is attached and incorporated by reference as Exhibit "E." Please refer particularly to ¶¶ ten (10) through thirteen (13) in which I am designated as the principal beneficiary.

Xerographic copies of BB&T bank account joint statements for my spouse and me as well as additional correspondence addressed to my home address of 1616 Park Avenue, Baltimore, Maryland 21217 are attached and incorporated by reference as Exhibit "F."

I state and declare at Baltimore, Maryland on this 6th day of February 2018 under penalty of perjury based upon my own personal knowledge under the laws of the State of Maryland and those of the United States of America including but not limited to 28 **United States Code** §1746 (2) that the foregoing is true and correct and that each exhibit is a true copy of an original document which is now or has been in my possession and that each of the statements in letter is true and correct.

Thank you for your courtesy and opportunity to present these materials.

Sincerely,



Ying Jin

Enclosures

¹ This appeal was denied because the University believes that it is conclusively bound by the non-immigrant "F-1" "D/S" student classification established by and visa issued by the Consul of the United States at Shanghai, China. However, this appeal provides useful background information regarding our Baltimore City residency.